

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the annexed Declaration of Christopher R. Harris, dated June 13, 2012, and the accompanying Memorandum of Law, dated June 13, 2012, the undersigned, on behalf of ABN AMRO Bank (Ireland) Ltd. (f/k/a Fortis Prime Fund Solutions Bank (Ireland) and ABN AMRO Custodial Services (Ireland) Ltd. (f/k/a Fortis Prime Fund Solutions Custodial Services (Ireland) Ltd.) (together, “Defendants”), hereby moves this Court, before the Honorable Jed S. Rakoff, United States District Judge, at the United States Courthouse, 500 Pearl Street, Courtroom 14B, New York, New York 10007, for an Order dismissing the Complaint on the grounds that all of the Trustee’s claims against Defendants are either barred by section 546(g) of the Bankruptcy Code or inadequate because they are unsupported by sufficient factual allegations.

PLEASE TAKE FURTHER NOTICE that pursuant to instructions provided during the scheduling conference call held on May 18, 2012, the Trustee’s opposition papers shall be submitted on or before July 18, 2012 and Defendants’ reply papers shall be submitted on or before July 25, 2012. The undersigned hereby also respectfully requests that oral argument be heard at a time and date determined by the Court.

Dated: June 12, 2012
New York, New York

LATHAM & WATKINS LLP

By: /s/ Christopher R. Harris
Christopher R. Harris

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